IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 14TH NOVEMBER 2007 / 23RD KARTHIKA 1929

WP(C).No. 33566 of 2007(U)

PETITIONER:

S.SUKUMARAN NAIR, MALIKAMADOM,
MAIN ROAD. HARIPAD.

BY ADV. SRI.P.SREEKUMAR
SRI.K.S.MANU (PUNUKKONNOOR)

RESPONDENTS:

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1. THE REVENUE DIVISIONAL OFFICER
CHENGANNUR.

2. THE TAHASILDAR,
KARTHIKAPPALLY TALUK.

BY ADV. SRI. GOVINDAN, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC , J

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W.P.(C). NO. 33566 OF 2007

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Dated this the 14th day of November, 2007.

JUDGMENT

The petitioner who had filed Ext.P6 appeal now submits that the remittance of tax made was insufficient and hence he submitted Ext.P9 request for permitting him to cure the defects in the appeal by remitting the deficit amount. However, orders have not been passed on Ext.P9. While, at the same time, the appeal also is not considered for the reason that the same suffers from the defect mentioned above.

2. In view of the fact that the petitioner has expressed his willingness to make deposit of the amount that is required to be deposited, I see no justification for denying the petitioner that opportunity.

3. Therefore, I dispose of this writ petition directing the 1st respondent to permit the petitioner to cure the defect by making additional deposit of the required amount. Within 10 days of receipt of a copy of this judgment the petitioner shall deposit the amount as above. Thereafter, Ext.P6 appeal submitted by the petitioner shall also be considered on its merit and orders shall be passed thereon.

The writ petition is disposed of accordingly.

ANTONY DOMINIC, JUDGE.

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